IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FILED
JAN 28 1994
Clerk U.S. District Court
Eastern District of California

By _____
Deputy Clerk

JERRY ANDERSON, et al.,	)	No. CIV F-90-0205 GEB JFM P
Plaintiffs,	)	
vs.	)	
COUNTY OF KERN, et al.,	)	
Defendants.	)	ORDER

Plaintiffs are proceeding through counsel with this class action lawsuit. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On December 30, 1993, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within ten (10) days and that any replies to objections were to be filed within ten (10) days thereafter. On January 7, 1994, plaintiffs filed timely

objections to the findings and recommendations. On January 13, 1994, defendants filed timely objections to the findings and recommendations. On January 21, 1994, plaintiffs filed a timely reply to defendants' objections.[1/]

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed December 30, 1993 are adopted in full;

2. Plaintiff's motion for attorneys' fees and costs is hereby granted; and

3. Plaintiffs are awarded reasonable attorneys' fees in the amount of three hundred fifty-seven thousand one hundred eight dollars and fifty cents ($357,108.50) and reasonable expenses in the amount of twenty-four thousand seven hundred sixty-two dollars and fifty-eight cents ($24,762.58), for a total award of three hundred eighty-one thousand eight hundred seventy-one dollars and eight cents ($381,871.08).

Dated: January 28, 1994

/s/ Garland E. Burrell, Jr.
UNITED STATES DISTRICT JUDGE

[1/] In their reply, plaintiffs contend, inter alia, that defendants' objections were untimely. This contention is without merit. See Fed. R. Civ. P. 6(a).

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Attorney for Defendants
COUNTY OF KERN and CARL SPARKS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY ANDERSON, et al.,	No. CIV F-90-205 GEB JFM P
Plaintiffs/Appellants,	
vs.	
COUNTY OF KERN and CARL SPARKS, SHERIFF,	
Defendants/Appellees.	NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Defendants, COUNTY OF KERN and CARL SPARKS, SHERIFF, appeal to the United States Court of Appeals for the Ninth Circuit from the Order awarding attorneys' fees filed in this action on January 28, 1994.
Dated: February 24, 1994

B.C. BARMANN, COUNTY COUNSEL

By /s/
Holly N. Gallagher, Deputy
Attorney for Defendants,
COUNT OF KERN and CARL SPARKS

LAW OFFICE OF JOHN HAGAR

By /s/ John Hagar/Hg
Attorney for Defendants,
COUNTY OF KERN and CARL SPARKS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
MAY 22 1995
Cathy A. Catterson, Clerk
U.S. Court of Appeals

JERRY ANDERSON, et al.,	)	No. 94-15414
	)	
Plaintiff/Appellee,	)	D.C. No. CV-90-00205-GEB
	)	
vs.	)	
	)	
COUNTY OF KERN; CARL SPARKS, Sheriff,	)	
	)	
	)	
Defendants/Appellants.	)	ORDER
	)	

Defendants-appellants' motion filed on May 10, 1995 is GRANTED. Oral argument scheduled for June 12, 1995 in San Francisco is cancelled. We VACATE the order awarding attorneys' fees to the plaintiff-appellee and we REMAND to the district court for further proceedings consistent with Anderson v. County of Kern, 45 F.3d 1310 (9th Cir. 1995).

FOR THE COURT

CATHY A. CATTERSON
CLERK OF COURT

By: /s/ Gwin Baptiste
Deputy Clerk

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
JUN 28 1995
Cathy A. Catterson, Clerk
U.S. Court of Appeals

JERRY ANDERSON, et al.,	)	No. 94-15414
	)	
Plaintiff/Appellee,	)	D.C. No. CV-90-
	)	00205-GEB
vs.	)	
	)	
COUNTY OF KERN; CARL SPARKS, Sheriff,	)	
	)	
Defendants/Appellants.	)	ORDER

Before: HUG, ALARCON, and TROTT, Circuit Judges

Plaintiffs-Appellees' motion filed May 30, 1995 to set aside this court's order of May 22, 1995 is DENIED.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
JUL 31 1995
Cathy A. Catterson, Clerk
U.S. Court of Appeals

JERRY ANDERSON; GLENNA BLAIR; TERRY DAVIS; JOHN WARDWELL; JESSE VASQUEZ, IRENE JAREZ;	)	No. 92-17040 No. 93-15019
Plaintiffs-Appellants-Cross-Appellees	)	D.C. No. CV-90-00205-GEB
v.	)	
COUNTY OF KERN; JOHN SMITH, Sheriff,	)	
Defendants-Appellees-Cross-Appellants.	)	ORDER

Before: POOLE, CANBY, and RYMER, Circuit Judges.

The motion of plaintiffs/appellants/ cross-appellees filed July 21, 1995 is GRANTED. Consideration of plaintiffs' application for attorney' fees on appeal pursuant to 42 U.S.C. § 1988 is hereby transferred to the district court. 9th Cir. R. 39-1.8.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
AUG 31 1995
Cathy A. Catterson, Clerk
U.S. Court of Appeals

JERRY ANDERSON; GLENNA BLAIR; TERRY DAVIS; JOHN WARDWELL; JESSE VASQUEZ, IRENE JAREZ;	)	No. 92-17040 No. 93-15019
Plaintiffs-Appellants-Cross-Appellees	)	D.C. No. CV-90-00205-GEB
v.	)	
COUNTY OF KERN; JOHN SMITH, Sheriff,	)	
Defendants-Appellees-Cross-Appellants.	)	ORDER

Before: POOLE, CANBY, and RYMER, Circuit Judges.

The Motion to Vacate Order filed by defendants/appellees/cross-appellants on August 8, 1995 is DENIED.